

Minutes
Indian Policy Advisory Committee
October 8, 2009

Present: see sign in sheet

Liz Mueller called the meeting to order and asked Jim Sijohn to conduct the invocation. She announced she would delay roll call until 10 am and thanked everyone for their participation in the changes happening in DSHS.

Everyone introduced themselves. Liz thanked everyone for coming, noting the many Department staff and those from external agencies.

Jim Sijohn thanked the staff from the Office of Indian Policy for the work they do. He then introduced DSHS Secretary Susan N. Dreyfus and described her recent visit with the Spokane Tribe.

Susan shared the DSHS Vision framework after thanking Jim for the hospitality he and the Spokane Tribe showed her. She announced Denise Revels Robinson would be the new Assistant Secretary for Children's Administration, and discussed working with Denise in Wisconsin and their response to crisis.

She discussed the Vision, Mission and Values Statement for the Department, leading with the need to adapt to the current needs and the current budget. She described leading change with strength and rebooting of state government. Susan submitted the Statement to Governor Gregoire in September, saying we must move from transactional services to transformational services to reduce poverty, improve health, education and employment success of Washington's citizens.

On the back of the Vision document is the organizational chart, showing the Executive Leadership Team (ELT) of DSHS. Susan has redesigned the look of the chart, which is represented by circles that represent the One Department, One Vision goal. ELT is a team of peers, all with equal accountability and authority of the organization to lead it well. She described Colleen F. Cawston's role as a full partner in the leadership team and her role as advisor to the entire team.

The words "community" and "partnership" have been added to the mission statement.

Susan said she is tired of trying to fix portions of failed systems. We must partner and leverage resources to maximize our programs' impact to serve our clients. She described the need for

partnership within the Department, giving the example of children in out of home care who are at risk and are the responsibility of the entire department. This could include health needs (HRSA), food or childcare benefits (ESA), Juvenile Rehabilitation, or other offices as well.

She also discussed the priority of needing true and genuine, respectful partnership with the Tribes. Susan gave an example of partnering with other state agencies for impact. She is meeting with the Office of the Superintendent of Public Instruction (OSPI) and the Department of Early Learning (DEL) to ask how we can help improve the graduation rates and make children ready to learn.

If the department constructs barriers, we need to know in order to eliminate them. If there are different ways to do our work, we need to talk about those things.

Susan said she loves what she's doing, and thanked those present for their leadership.

Ronda Metcalf expressed her concern about some of the subcommittees for the 2106 project not being open to Tribal partnership. She described people who attended in the place of the identified delegate and alternate who were not allowed to speak until the final few minutes of the meeting. Susan responded the pilot is about performance and partnership. Children's Administration remains ultimately responsible for the children and they will have to figure out to assure ICWA is followed, regardless of who provides services. She also said delegates to the committee can identify additional alternates as resources. Susan will follow up on it.

Marilyn congratulated Secretary Dreyfus, saying she is impressed by what she has done since she assumed the lead for the largest department in the state. She also thanked her for taking the time to meet with the tribes and urban organizations. She challenged Susan to fulfill the need for the Indian Policy staff to work across Department lines and with other tribal committees.

Susan discussed her move toward a "talent management" system. She has the Senior Director of Human Resources, Glen Christopherson, looking at the talents of the executive staff, and has given Colleen authority and accountability with full license to oversee any department staff with tribal responsibilities, as well as the authority to leverage deeper relationships across the department.

Jim Sherrill reiterated Ronda's comments about non-delegated tribal staff not being allowed to speak in some of the 2106 subcommittees. He added that having committees with representatives from just a few tribes does not meet the definition of a government to government relationship. He said the danger of committees working without consultation allows department staff to make plans without the influence of the tribal perspective. He worries that language and outcomes may be locked in by the time consultation happens.

Jim continued, commenting on the lack of progress in reducing the number of children in out of home care. He serves on the Vancouver ICW committee and said since completion of the first case review, he hasn't seen that front line and supervisory staff ever learned the outcomes of that first survey. He also sees many Cowlitz children in the system that the tribe doesn't know about. He hopes Susan sees this as a crisis and hopes she and Assistant Secretary Revels Robinson will "land in this with both feet".

John Stephens said many tribes have self governance. In his opinion, the relationships with the tribes and state are transactional, not transformational. The compact with the federal agencies is more transactional in transferring responsibilities to tribal governments. He said the consolidated contracts are a good first step. When the tribe has a compact with the agency, the tribal government has the responsibility to identify how the resources will be used effectively. Compacts with the department would help build independence with the Tribes. Susan said she is ready, but needs strategic planning and implementation.

Liz said the Vision Statement is still in draft form and any suggested revisions should go to Colleen.

Gwen Gua called the roll. Quorum was reached with 20 members represented.

Liz introduced Troy Hutson after a moment of silence to honor those who have passed on

Economic Services Administration

Troy Hutson, Assistant Secretary

Troy thanked the delegates for their support, presence and participation in the quarterly IPAC ESA/DVR Subcommittee meetings. The 2009-11 budget for ESA requires a 5% reduction in state Maintenance of Effort (MOE) funding for Tribal TANF, as well as a significant reduction in funding for General Assistance – Unemployable (GA-U). The state's economy has led to newly unemployed people needing assistance. Basic Food and General Assistance have seen great increases in applications. Not all are eligible for services, and ESA has 6% fewer staff to work with them.

With twenty months on the job, Troy sees customer focus, empowering and supporting staff, building strategic partnerships, and focusing on innovation and accountability as core values that ESA needs to maintain a strong focus on during these challenging times. These core values are highlighted in the work ESA is doing in partnership with tribes, foundations and nonprofits, including the Tribal Eligibility Pilot. He thanked the Port Gamble S'Klallam staff for their work,

saying the planning and development process has been challenging. The first phase will begin later this month.

Troy congratulated Colville for getting federal approval to operate a tribal child support program. They are the seventh tribe in Washington State to operate a child support program and the 36th tribe in the nation.

ESA's partnership with the Gates Foundation resulted in a \$200,000 grant that ESA will leverage with additional funds to deploy two mobile CSOs in the spring. They will make it easier to be present in communities affected by disaster. Troy said it is important for ESA staff to think about delivering a set of services beyond brick and mortar locations.

ESA also has been awarded a \$500,000 grant from the federal Food and Nutrition Services (FNS) to increase participation in Basic Food. Troy is aiming for 100% participation, which would be a great economic driver for the state's economy. ESA is on track to deliver over a billion dollars in Basic Food benefits this year.

In an effort to increase the impact in the community, ESA is conducting internal changes to service delivery. Changes include standardizing call centers statewide, a new toll-free number for childcare providers and a statewide toll-free call center number by November. To provide same day service, four offices will begin to conduct intake interviews the same day the individual applies. This will go statewide once they perfect the system, and will reduce the wait from up to thirty days between application and interview.

ESA is also implementing online tools so clients can look up details related to their public assistance case. ESA is talking to libraries, food banks and housing authorities as potential locations for service provision. ESA is also investigating development of a universal application, from which other databases can download pertinent data. The Gates Foundation is willing to help with the technology challenge.

Troy discussed the handout in packets called "DCS of the Future" Project: Initiatives Summary", which outlines the Division of Child Support's plan for changes that parallel changes in the rest of the Administration.

GA-U reductions include a nine percent reduction in funding for GA cash grants and a forty percent reduction in funding for GA-U medical benefits, totaling \$59 million for 2009-11. ESA has implemented a number of changes in the program that are expected to save about \$4.5 million. Policy changes that ESA plans to propose include a five percent grant reduction that would reduce monthly grants by about \$15, and changes to more closely align GA-U incapacity criteria with federal disability criteria.

Troy discussed his visits with five tribes this summer, where he and some of his staff met with councils and staff, toured facilities and talked about issues at the tribal level. At Jamestown S’Klallam, he discussed having a poverty summit and a tribal poverty summit with Chairman Allen that may be funded, in part, by the Gates Foundation. The summits would focus on employment and education. Colleen is forming a summit planning workgroup and asked for volunteers. Troy hopes to have the summits in the spring after the legislative session ends.

The Tribal TANF WAC Development Workgroup has a draft almost ready for final consultation with the tribes. A roundtable with tribal leaders is planned as part of the November 12 ESA/DVR subcommittee meeting, and all IPAC delegates are invited to the roundtable. The workgroup wants input for a consultation date before the 2010 legislature convenes or in early spring. Troy encouraged the delegates to attend the roundtable and thanked those who have given their time and expertise to the WAC development.

Troy closed with an inspirational quote by Kobi Yamada, “Sometimes you just have to take the leap and build your wings on the way down.”

June O’Brien asked about GA-U; when an eligible person is enrolled in managed care and goes somewhere else for treatment, it is difficult to get emergency care. Disenrollment is a slow process that needs to be accelerated. Troy said he will have someone help with that, and managed care has recently expanded to statewide.

Marilyn Olson thanked Troy for helping with the pilot, saying the trainer is a pleasant person and Marilyn’s staff can hardly wait to start. The Gates Foundation has approached Port Gamble S’Klallam Tribe and wants to help expand the program to other tribes. She asked that ESA approach the Gates Foundation for help for other tribes so they can participate in their own eligibility programs. Participating tribes need computers, staff and state trainers. Troy has talked to the Gates Foundation about it, and if the pilot is successful he will ask for the help to expand it to other tribes.

The pilot provides access to medical and food benefits. The Gates Foundation is interested in using that vehicle to focus on improving nutrition and health in a culturally relevant way.

Marilyn shared that if a child is eligible for Indian Health Services (IHS) then no referral to the Division of Child Support (DCS) for medical enforcement should be necessary. She stated that this problem could be easily solved with a mandatory checkbox on the screen to indicate that the children receive IHS services. Without the checkbox, it takes a lot of state and tribal staff time to fix the problem. Troy said he will have staff follow up.

Marilyn also asked that the tribes be able to propose WACs.

Troy said tribes can do much the same work as DSHS does, but they can also do some things not possible here. He will follow up.

Rosi Francis expressed her concern that it has taken 20-25 minutes to get through to the call center. Troy said ESA is addressing that. He expected some delay in consolidating many small call centers across the state into one administration for consistency and shared resources. Many new call center staff are working together to strengthen response times and gain statewide consistency for callers.

Jennifer LaPointe thanked Troy for his honesty and encouraged him to implement kiosks and increase the use of technology. Puyallup has purchased patient kiosks for their clinic and the Medicaid application will go live in two weeks.

Shirley Charley thanked Troy and his staff for their hard work, saying that's why the Creator sent different people with different ideas. She anticipates having the TANF project at Colville and will welcome it once the kinks are ironed out.

Division of Vocational Rehabilitation (DVR)

Lynnae Rutledge, Director

Lynnae thanked Liz and Colleen for inviting her to update IPAC. She explained that DVR assists people with disabilities work through barriers to employment. She was honored to attend and is thankful for the relationships and work that has been done with the Tribes. Avreayl Jacobson has the most contact with the tribes; Lynnae thanked her for her role and for the daily roles of the area managers. DVR works with seven programs around the state that receive federal funds on five year contracts to provide services to tribal members. They are culturally relevant services delivered on the reservation with respect and care to that community.

Lynnae is meeting with Stillaguamish and Colleen F. Cawston October 19. She also talked about the various tribes with vocational rehabilitation programs.

DVR also has worked with Cowlitz Tribe through the arduous process of getting CARF accreditation. They provide orientation for each new DVR staff on distinct services provided in tribal VR programs.

DVR has had a significant challenge in not being able to serve all eligible people. In recent years they had an order of selection of about 14,000 people waiting for services, but over the past

four years they have been able to move through and eliminate the list. Although there are hiring freezes and necessary reductions in FTE, DVR had so many vacancies they are hiring staff. They have added four to six staff and will continue until the vacancies are filled. Despite the number of vacancies they have been able to look differently at community partnerships and their staffs' abilities, which resulted in a 20% increase in applications, a 20% increase in eligibility determinations, and a 10% increase in employment programs with more people going to work. This reflects a fundamental shift in focus for how to provide services.

DVR will continue their work to serve people with the most significant disabilities and better outcomes for more people served. As of October 1, 2009, DVR supports more people in employment plans, with an increase in successful employment plans. They are focusing on full time positions, types of jobs and salaries.

DVR received nearly \$9 million in ARRA funds and are working for rapid employment to stimulate the state's economy. DVR is advocating with tribes to provide employment for people with disabilities through the ARRA funds. Lynnae said society has lower expectations for people with disabilities, but those people are capable of working full time, make good wages, getting jobs with benefits and opportunities to participate in economic recovery nationwide.

October is National Disability Awareness Month.

Liz said she didn't remember having 7.01 meeting with DVR, which they used to have on a regular basis, and asked other tribes if they'd had their 7.01 meetings with DVR. Avreayl Jacobson said she had been focusing on tribes without VR programs where DVR staff are providing the services. She has not had 7.01 meetings, but is working to get them scheduled. Lynnae committed to getting the meetings scheduled.

Elections

Jennifer LaPointe's Vice Chair position and Jim Sijohn's Member at Large positions were up for election.

Bill Coleman nominated Jim Sijohn for Member at Large and John Stephens seconded the motion. The motion carried.

Rosi Francis nominated Jennifer LaPointe for Vice Chair and Gwen Gua seconded the motion. The motion carried.

Jim and Jennifer thanked the delegates.

Liz said IPAC had a number of new delegates (Shirley Charley, Tara Dowd, Matilda Sampson, Rosi Francis, Jerry Meninick, Yvette McGimpsey were present) and asked them to discuss their jobs and histories, which they did.

Aging and Disability Services Administration (ADSA)

Kathy Leitch, Assistant Secretary

Kathy announced she would discuss four items, training of care workers, family caregiver support conference, the stimulus issue and chronic care case management. She also distributed a spreadsheet that detailed the training requirements related to Initiative 1029, which established that the Training Trust would provide caregiver training beginning in 2010 and required hours of training would increase in 2011.

Kathy spoke of the difficulty for individual providers to access training near where they live. Training requirements were increased a few years ago by voter initiative. Many entities do their own training, but individual and residential providers had received the training from contracted providers. As of January 2010, the Training Trust will become the only training provider for individual providers and agencies.

In Jan 2011, the required training for home care workers will increase to seventy-five hours. The training must be completed within 120 days, up from thirty-five, and providers must be certified within 150 days. The spreadsheet details the exemptions.

The Training Trust has begun soliciting providers for the training. Once they are identified, Kathy will distribute the complete list.

Kathy and Colleen met and discussed an exemption from home care certification. The third bullet on the handout discusses certain professions that don't have to be certified, including RN, LPN, CNA, Medicare certified home health aides, or persons holding a similar health credential. Some tribes send people to out of state training to get certified as a community health care worker. The training is very similar to the upcoming training. Colleen and Kathy will approach the Department of Licensing about exempting these people from the additional requirements. Tribes wanting to host or provide the training need to contact the Training Trust.

There was discussion about whether CHR's with similar training could become the trainers once the similar training issue is decided and whether a CHR would have to be certified if he or she didn't want to be, with approval from the Department of Health. If the RFP goes to tribal colleges, those that are not recognized as part of the higher education board might not be able to apply.

Kathy said although ADSA is responsible for certain learning outcomes, the Trust will want contractors to do the curriculum. Tribes can participate with DSHS in the development of the learning outcomes.

Several tribes have RNs who could provide the training and they would need to contract with the Training Trust. There is concern whether training will be offered frequently enough and locally enough for the tribes.

There was discussion about infringement on government to government relationships and challenge to sovereignty. Suggestions included a letter from IPAC to the Governor and an opinion from the Attorney General's office. Because the initiative passed two years ago, it can be amended by the legislature with a two thirds vote. Tribes could ask for a technical amendment exempting tribes or to provide their own training.

Liz asked if any tribes here with tribal attorneys would be willing to work on an amendment. Marilyn O. and Ronda will pursue theirs. IPAC will also write to Kathy and copy Secretary Dreyfus to ask for the Attorney General's (AG) opinion.

John Stephens moved that IPAC send three letters, one to the Training Trust, one to the Department of Health asking if CHRs can be trainers and one to Kathy Leitch asking for an AG opinion. Ronda seconded and the motion passed.

Tribal organizations have discussed having a Tribal Caregivers Conference. They will use the Older Americans Act administrative dollars to do hold the conference February 10-12. Colleen distributed a volunteer signup for planning.

Candace Goehring discussed Chronic Care Case Management. The handout in delegates' packets provided details. Since January 2008, ADSA has worked with four tribes on Chronic Disease workshops. Candace wants to plan strategically to reach tribes across the state. Call Candace at 360-725-2562 if interested in following up.

Kathy asked for help developing a new website where they will post new information.

ADSA is a member of the Washington Alliance for Healthy Aging and is seeking tribal representation. It would involve a monthly phone call and provide an opportunity to network.

The next aging conference will be September 2010.

Colleen placed a letter in Region 6 delegates' packets about participating in interviews for the vacancy there.

Legislative Report and Training

Gwen Gua, Phillip Ambrose and Christine Molnes

Phil and Christine presented information about useful websites for tracking bills. They also trained the delegates on the Personalized Bill Tracking link that automatically opens to the most recent version of a tracked bill. She will also provide the step by step directions electronically. Once the legislature begins, it will be difficult to help delegates set up their accounts, so if they want help, they need to contact Phil at 509-877-5121 or Phillip.Ambrose@dshs.wa.gov, or Christine at 360-902-7813 or Christine.Molnes@dshs.wa.gov.

Marilyn S. said that as the subcommittee has discussed using the subcommittee to track activity on the Washington ICW Act (ICWA). HCA is doing work related to healthcare for the state.

Children's Transformation Redesign Report

Nancy Dufraine and Trudy Marcellay

The first quarterly report to the governor and legislature was in delegates' packets. The website is: www.accountabilityinchildwelfare.org.

The Children's/ JRA subcommittee continues to work on the Washington State ICWA. The next meeting is October 29 @ 9:00 a.m. – 12:00 p.m. at NW Justice Seattle Office, 401 Second Ave S, Suite 401, Seattle. The office is located on the southwest corner of Jackson St. and Second Ave S. Betsy Tulee will distribute pertinent information by email.

Nancy said Representative Kagi attended the last 2106 meeting. During the next legislative session a number of companion pieces will be introduced to fill in the gaps in 2106. Nancy and Betsy will probably raise the issue at November's CA/JRA subcommittee meeting to look at tracking and process. They will also send out the Children's legislative list with bills of interest and will try to highlight the information within that relates to 2106.

Liz said within each advisory committee is a major focus defining each one and what will be addressed by each one. Beyond that they need to consider the need to adhere to ICW, Centennial Accord and awareness of disproportionality and culturally competent services.

The next 2106 meeting will be December 14-15 at the SeaTac DoubleTree. Each of the four subcommittees has six to nine people, but can rise to fifteen. They are seeking delegate foster parents (one from the east and one from the west side of the state), foster youth (one in the system and one post-system), and social workers (east and west). Next Tuesday is the due date.

All are open to the public, minutes will be posted on the website at www.accountabilityinchildwelfare.org, as will the times and dates for future meetings.

Nancy reported the disproportionality remediation plan is due January 1, 2010. The committee will receive and work on reports November 20 and hopes to have a final draft then. Once the plan is approved, it will go to Secretary Dreyfus and then to delegates and tribes. The November disproportionality meeting is November 19-20, location to be determined. These are open meetings.

Nancy announced the “All My Relations” video is being distributed as a training tool for foster parents, as well as others. The video is on the CA website.

The Washington ICWA workgroup is working on draft 7c. Tom Tremaine will distribute it; Trudy asked that tribes review and comment before the October 29 meeting.

Health and Recovery Services

Doug Porter, Assistant Secretary

Doug explained that, although he was not scheduled to speak, he had come to ask for input on the meetings leading up to the Waiver consultation.

Marilyn O. asked with the short timeline and no time for comment, what’s the point of consultation?

Doug replied at the Tribal Communities Transforming Mental Health conference, he invited the tribes to not tweak the RSN system, but to submit a waiver as early as the first quarter of next year to carve out the tribes from the RSN system. Any quick additional tweaks in the short term could be done, but the intent was to carve out tribes and foster children from that RSN system to gain better outcomes.

There was discussion about timing and timelines. Doug said the time between now and the submission of the waiver is adequate to have the discussion about how to carve out the tribes. He also said, “I ask that you walk the journey with me rather than trust me”.

There was concern that twenty days wouldn’t give the tribes adequate time to investigate any issues raised in workgroups.

Doug said the bulk of the work will be after December, and will concern putting details into place after the consultation.

Marilyn S. said HRSA needs to get the information to the tribes at the work sessions scheduled in advance of the official consultation to inform the tribes that the waiver will be the same as it is now but with the plan to go to the legislature with what we want changed in the MH system. She also pointed out that we don't know if CMS will approve what DSHS and the tribes develop for a new mental health system. Doug said he hears there's a "kinder, gentler" CMS in town.

John Stephens was happy to hear Doug and Roger Gantz say at the conference that "we hear you and are ready to free you from the RSN's, and said now it's up to the tribes to meet the challenge to construct a new way.

Tara Dowd wants to make sure urban programs are included and said the Native Project's mental health service for children is the only culturally appropriate program in Spokane. Doug said it's doable.

Jennifer asked to make a plan for the three months' work after consultation; Doug will work with Colleen to identify some dates.

There was discussion about the status of current mental health roundtable work, and Doug said he realizes how intractable some of the contract issues are and believes DSHS can't make RSNs responsible for 7.01 obligations.

Any changes to the mental health system will still need legislative approval. Once the session starts, those involved will have busy schedules for other legislations, too, so some staff might not be available for some of the work sessions. Roger said he hoped to include any necessary changes to the legislation in the mental health reform legislation already planned for this session. He said for waiver submittal, we don't need to put forward a detailed design, but it's time to go on record that we are carving the tribes out of the RSN legislation, and then take the time needed to do the work.

Colleen asked for a decision about whether to meet October 22 for a second workgroup session at 11:00 a.m. on Oct. 22 in meeting room SL-04 at OB2 just off the cafeteria, with call in number 360-407-3780 pin 382829#.

The workgroup will have a follow up meeting on November 17 at 1:00 p.m. in SL-04, and the consultation is scheduled December 3 at 8:00 a.m. until noon at OB2 in the Lookout Room.

The September AAA meeting was cancelled; the dates proposed for the next meeting are November 2, 3 or 6. Muckleshoot will host.

Colleen distributed two more volunteer opportunities to work on data and the follow up conference for Tribal Communities Transforming Mental Health.

Sandra Mena Tyree discussed the Substance Abuse Prevention and Treatment (SAPT) federal block grant state requirement. In April 2007, the feds provided some SAPT training on the contractual requirements associated with the block grant. Now it's time for a compliance review, which will be geared toward technical assistance. This grant generally provides \$35-38 million per year.

Abie Castillo and Betsy Jones discussed the GA-U Integrated Medical/Mental Health Program Expansion. The plan is to have current GA-U clients outside King and Pierce Counties rolled into the primary care plan currently being piloted in King and Pierce Counties. The goal is to be ready to go November 1.

Betsy explained the plan uses a stepped care model, based in primary care. The mental health coordinator works in the primary care site. They provide brief mental health interventions and work with primary care providers and psychiatrists to manage their caseload of mental health clients to look for necessary treatment changes, lack of progress or referrals for specialty mental health care. Abie and Betsy came to IPAC to let IPAC know they want to work with any interested tribes and would like to take more time to talk if there's interest in connecting tribal members with their services.

To be eligible for services, individuals would need to join the Community Health Plan. The plan would contract with the tribe to keep the client with his or her home medical area and provider system. Roger said there are 17,600 people in the GA-U program receiving medical care who can opt into the program if they want. About 740 of those people are American Indian or Alaska Native.

Jennifer said tribes have asked to have their people designated GA-U in the tribe's system and she's glad mental health can now be billed against GA-U. She believes tribes should be able to bill for it without going outside the tribal system, which they currently cannot do. Roger replied this is a legislative proviso, written to include mental health services in the managed care process. He will be able to discuss this request once the Provider One system can be changed, possibly in six to nine months.

Jim Sherrill said that although H1N1 vaccinations are available, people are choosing not to take the nasal vaccination. He encouraged everyone to get vaccinated

Liz asked Jerry Meninick to close the meeting with a prayer.

Motions

Marilyn Olson moved that IPAC support and encourage DSHS to apply to the Gates Foundation for help to expand the eligibility project to the rest of the state. The motion carried.

John Stephens moved that IPAC send three letters, one to the Training Trust, one to the Department of Health asking if CHRs can be trainers and one to Kathy Leitch asking for and AG opinion. Ronda seconded and the motion passed.